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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,821	01/19/2001	Tue Nguyen	SIM070	9855

7590 03/29/2004
Tue Nguyen
496 Olive Ave.
Fremont, CA 94539

EXAMINER

SENF, BEHROOZ M

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,821

Applicant(s)

NGUYEN ET AL.

Examiner

Behrooz Senfi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/19/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smargiassi et al (US 2001/0043735) in view of Bandaru et al. (US 2002/0024538).

Regarding claim 25, Smargiassi '735 discloses "a system to capture images of a chamber" (i.e. fig. 2), and "a radiation source to generate radiation to illuminate the chamber" (page 3, section 0032), and "a camera coupled to the process chamber" (i.e. fig. 2, camera 34), and "the processor coupled to the camera" (i.e. fig. 2, processor 40), and "the storage device coupled to processor to store images" (i.e. fig. 2, storage 38). Smargiassi '735 fails to explicitly teach "communication through internet to a remote viewer". However, such features are well known and used in the art as evidenced by Bandaru '538 (figures 1 and 10). Bandaru '538 teaches the communication network via network adapter, therefore taking the combined teaching of Smargiassi '735 and Bandaru '538 as a whole, it would have been obvious to modify the processing system of Smargiassi as taught by Bandaru for transferring images through internet to a remote location.

Regarding claims 1, 24, 26 and 33 are substantially similar to claim 25, therefore, the grounds for rejecting claim 25, also apply here.

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Regarding claim 2, combination of Smargiassi '735 and Bandaru '538 teaches the claimed "radiation source comprising one or more lamps" (i.e. col. 3, section 0032 of Smargiassi).

Regarding claims 3 and 4, combination of Smargiassi '735 and Bandaru '538 teaches, "processor coupled to the camera" and "data storage" (i.e. fig. 2 of Smargiassi)

Regarding claims 5 - 7, the limitations claimed are obvious over the combination teaching of Smargiassi '735 and Bandaru '538. Since in order to connect to Internet, the network adapter card is necessitated.

Regarding claims 8 - 10, 29 and 30, combination of Smargiassi '735 and Bandaru '538 teaches, "server connected to internet" (i.e. fig. 7 of Bandaru).

Regarding claims 12 - 14, combination of Smargiassi '735 and Bandaru '538 teaches, "sensor coupled to processor" (CCD sensors, page 3, 0031 of Smargiassi) and "motor coupled to the camera to pan the camera in claim 13" (page 3, 0031 of Smargiassi), and "view port coupled to chamber" (page 2, lines 5 - 6, left column of Smargiassi).

Regarding claims 18 - 20, combination of Smargiassi '735 and Bandaru '538 teaches, "radiation source and infra red light source" (page 1, section 0008, and page 3, section 0032).

Regarding claims 21 - 23, 27, 28 and 31 - 32, combination of Smargiassi '735 and Bandaru '538 teaches, "determine the position of one or more components in the chamber, wafer" (figures 1 and 2 of Smargiassi '735), and "detect one or more predefined criteria, in claims 21 and 31" (figs. 6 and 7, page 3, section 0034).

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3. Claims 15 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smargiassi et al (US 2001/0043735) in view of Bandaru et al. (US 2002/0024538) further in view of Pirak et al. (US 5,400,771).

Regarding claims 15 – 17, combination of Smargiassi '735 and Bandaru '538 teaches the claimed "capturing images of a chamber and coupled to processor and capture radiation illuminating, as discussed above." combination of Smargiassi '735 and Bandaru '538 fails to explicitly teach "light pipe projecting from out side with camera viewing inside". However, such a monitoring setups are well known and used in the art as evidenced by Pirak '771 (figure 1), where it shows the camera and the light source are placed outside and pipe 18 including fiber-optic illumination guide and fiber-optic cable connected to the camera for illuminating and inspection purpose of inside. Monitoring setup and system of Pirak '771 is for use in medical and surgical fields. However using similar monitoring setup for industrial applications, like inspection applications would have been obvious.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:


(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. B. P.

3/19/2004


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600